

article, were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed.

On November 3, 1930, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**17791. Misbranding of Merles brand beef, iron, and wine. U. S. v. 33 Packages of Merles Brand Beef, Iron, and Wine. Default decree of condemnation and destruction. (F. & D. No. 24906. I. S. No. 025475. S. No. 3231.)**

Examination of samples of beef, iron, and wine from the herein-described interstate shipment having shown that the labels bore claims of curative and therapeutic properties that the article did not possess, also that it was labeled as conforming to the National Formulary, whereas the said National Formulary prescribed no standard for beef, iron, and wine, the Secretary of Agriculture reported the facts to the United States attorney for the Western District of Pennsylvania.

On July 10, 1930, the said United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 33 packages of Merles brand beef, iron, and wine at Clarion, Pa., alleging that the article had been shipped by the Devore Manufacturing Co., from Columbus, Ohio, on or about April 4, 1930, and had been transported from the State of Ohio into the State of Pennsylvania, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of iron and ammonium compounds, benzoates, nitrogenous material, sugar, alcohol, and water.

It was alleged in the libel that the article was misbranded in that the statement on the bottle label, "This preparation is manufactured according to the National Formulary," was false and misleading. Misbranding was alleged for the further reason that the following statements regarding the curative or therapeutic effects of the article, borne on the bottle and carton labels. (bottle) "For anemia, debility, lack of blood and a valuable restorative for convalescents," (carton) "A great Chill and Nerve Tonic, Builds up Run Down Systems," were false and fraudulent, since the article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On October 3, 1930, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**17792. Misbranding of Oxien Nazone salve. U. S. v. 10 Boxes of Oxien Nazone Salve. Default decree of destruction entered. (F. & D. No. 24975. I. S. No. 6077. S. No. 3322.)**

Examination of samples of the drug product known as Oxien Nazone salve from the herein-described interstate shipment having shown that the labels bore claims of curative and therapeutic properties that the article did not possess, the Secretary of Agriculture reported the matter to the United States attorney for the Southern District of Ohio.

On August 18, 1930, the said United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 10 boxes of Oxien Nazone salve at Columbus, Ohio, consigned by the Great Oxie Co., Augusta, Me., alleging that the article had been shipped from Augusta, Me., on or about May 27, 1930, and had been transported from the State of Maine into the State of Ohio, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of an ointment with a petrolatum base containing volatile oils, including sassafras oil, camphor, and methyl salicylate, and traces of phenol and menthol.

It was alleged in the libel that the article was misbranded in that the statement borne on the carton, "We, the undersigned, do hereby guarantee that our Nazone Salve is not adulterated or misbranded," was false and misleading. Misbranding was alleged for the further reason that the following statements regarding the curative or therapeutic effects of the article, appearing on the

tin boxes and cartons and in the accompanying circular, were false and fraudulent, since the said article contained no ingredient or combination of ingredients capable of producing the effects claimed: (Tin box) "For Catarrh in the Head, Croup, \* \* \* Eczema \* \* \* For Inflamed Lids \* \* \* Throat and Bronchial Troubles \* \* \* For Boils \* \* \* Sore Eye Lids \* \* \* Coughs, Chilblains, Erysipelas, Earache \* \* \* and Skin Diseases \* \* \* For Catarrh and Like Troubles;" (carton) "Deafness, Catarrh, Eczema \* \* \* Influenza, Etc. \* \* \* To sufferers from Catarrh and other ills brought on by colds and influenza, Nazone is a blessing. Catarrh ordinarily leads to Laryngitis, Bronchitis, Eye Ailments, Catarrhal Deafness, or to Catarrh of the Stomach and Bowels. Use Nazone Salve for Catarrh or its consequences. As in the case of \* \* \* sore throats, the Nazone is applied in the throat and nose, internally. Relieves inflammation in the mucous membranes in the nose, throat or chest when once the purifying, soothing salve is there. Remedy for \* \* \* Coughs. \* \* \* Catarrhal Deafness, Sore Eyelids, Influenza, \* \* \* Nazone Salve applied externally for sore, inflamed, chafed or raw places such as are found in Eczema, \* \* \* Salt Rheum, Bites \* \* \* Ulcers \* \* \* New or O'd Sores \* \* \* Boils \* \* \* Pimples, Scalp Humors \* \* \* Rash and Earache. \* \* \* Oxien Nazone Salve is one of the most \* \* \* healing mixtures \* \* \* Special care is used in the selections of refined essential oils noted for their curative qualities;" (circular) "Is your breath foul smelling? It's dangerous and disagreeable. If the catarrh is allowed to develop further it will cost you something—maybe your life or all your friends. In Oxien Nazone Salve we have one of the most \* \* \* healing mixtures. \* \* \* It is \* \* \* Healing \* \* \* Used for \* \* \* Eczema, Salt Rheum, Ulcers \* \* \* Also for Catarrh, Influenza, Coughs \* \* \* Sore Throat, Hay Fever, Sore Eyelids \* \* \* Deafness, Catarrh, Eczema \* \* \* Influenza, etc. \* \* \* To sufferers from Catarrh and all other ills brought on by colds and influenza, Nazone is a blessing. Catarrh ordinarily leads to Laryngitis, Bronchitis, Eye Ailments, Catarrhal Deafness, or to Catarrh of the Stomach and Bowels. Use Nazone Salve for the worst case of catarrh or its consequences. As in the case of \* \* \* sore throats, the Nazone is applied in the throat and nose, internally. Relieves inflammation in the mucous membranes in the nose, throat or chest when once the purifying soothing salve is there. Remedy for \* \* \* Coughs, Catarrh, Sore Throat, Hay Fever, Catarrhal Deafness, Sore Eyes, Influenza."

On October 21, 1930, no claimant having appeared for the property, judgment was entered ordering that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**17793. Adulteration and misbranding of T. M. C. laxative cold tablets. U. S. v. 18 Dozen Packages of T. M. C. Laxative Cold Tablets. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 24745. I. S. No. 036949. S. No. 3104.)**

Examination of samples of a drug product, known as T. M. C. laxative cold tablets, from the herein-described interstate shipment having shown that it contained less acetanilide than labeled, and that the labels bore claims of curative and therapeutic properties that the article did not possess, the Secretary of Agriculture reported the matter to the United States attorney for the Eastern District of Missouri.

On May 1, 1930, the said United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 18 dozen packages of T. M. C. laxative cold tablets, remaining in the original packages at St. Louis, Mo., alleging that the article had been shipped by Frederick Stearns & Co., from Detroit, Mich., on or about October 30, 1929, and had been transported from the State of Michigan into the State of Missouri, and charging adulteration and misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that the tablets contained acetanilide (0.876 grain per tablet), cinchonine salicylate, extracts of plant drugs including podophyllum, and camphor, coated with sugar and calcium carbonate and colored pink.

It was alleged in the libel that the article was adulterated in that its strength fell below the professed standard or quality under which it was sold, namely,